

Secretary compensation awarded under this section to such individual.

(iv) **RIGHT OF SUBROGATION.**—Upon payment of compensation pursuant to a claim under subsection (a), the United States Government is subrogated for the amount of the payment to a right or claim that the individual to whom the payment was made may have against any person on account of injuries referred to in such subsection.

(v) **GUIDELINES.**—The Attorney General shall establish guidelines for determining amounts of compensation under this section for injuries or conditions, including reasonable compensation for medical expenses, lost wages, and pain and suffering.

(D) **ACTION ON CLAIMS.**—

(i) **IN GENERAL.**—(I) The Attorney General shall complete the determination on each claim filed under subsection (a) in accordance with the procedures established under paragraph (1)(A) not later than 12 months after the date on which the claim is filed under such subsection.

(II) For purposes of determining when the 12-month period ends, a claim filed under subsection (a) shall be deemed filed as of the date of its receipt by the Attorney General.

(III) In the event of the denial of a claim under this section, the claimant shall be permitted a reasonable period in which to seek administrative review of the denial by the Attorney General.

(IV) The Attorney General shall make a final determination with respect to any administrative review under subclause (III) within 90 days after the receipt of the claimant's request for such review.

(ii) **ADDITIONAL INFORMATION.**—The Attorney General may request from any claimant under this section any reasonable additional information or documentation necessary to complete the determination on the claim in accordance with the procedures established under paragraph (1)(A).

(iii) **PAYMENT WITHIN 6 WEEKS.**—The Attorney General shall ensure that a claim filed under subsection (a) that is approved under this section is paid not later than 6 weeks after the date on which such claim is approved.

(E) **PAYMENT IN FULL SETTLEMENT OF CLAIMS AGAINST THE UNITED STATES.**—Except as otherwise authorized by law, the acceptance of payment by an individual under this section shall be in full satisfaction of all claims of or on behalf of that individual against the United States that arise out of exposure to water contamination at Camp Lejeune under subsection (a).

(F) **JUDICIAL REVIEW.**—(i) An individual whose claim for compensation under this section is denied may seek judicial review within 180 days of denial solely in a district court of the United States.

(ii) The court shall have jurisdiction to review the denial on the administrative record and shall hold unlawful and set aside the denial if it is arbitrary, capricious, an abuse of discretion, or otherwise not in accordance with law.

(C) **ATTORNEY FEES.**—

(1) **GENERAL RULE.**—Notwithstanding any contract, the representative of an individual may not receive, for services rendered in connection with the claim of an individual under this section, more than that percentage specified in paragraph (2) of a payment made under this section on such claim.

(2) **APPLICABLE PERCENTAGE LIMITATIONS.**—The percentage referred to in paragraph (1) is—

(A) 2 percent for the filing of an initial claim; and

(B) 10 percent with respect to—

(i) any claim with respect to which a representative has made a contract for services

before the date of the enactment of this Act; or

(ii) a resubmission of a denied claim.

(3) **PENALTY.**—Any such representative who violates this section shall be fined not more than \$5,000.

(d) **EXCEPTION FOR COMBATANT ACTIVITIES.**—This section does not apply to any claim for harm arising out of the combatant activities of the Armed Forces.

(e) **PERIOD FOR FILING CLAIMS.**—A claim filed under this section may not be commenced after the date that is two years after the date that the Attorney General establishes the procedures required by subsection (b)(1)(A).

(f) **REPORT.**—

(I) **IN GENERAL.**—No later than one year after the effective date set forth in subsection (f) and not less frequently than once each year thereafter, the Attorney General shall, in consultation with the Secretary of Health and Human Services, the Secretary of Defense, the Secretary of Veterans Affairs, and the Secretary of Labor, submit to the appropriate committees of Congress a report on activities under this section.

(2) **CONTENTS.**—Each report submitted under paragraph (1) shall include the following:

(A) The total number of claims filed under this section.

(B) A description of the harms claimed.

(C) The number of approved claims.

(D) The number of claims under review.

(E) The number of denied claims.

(F) The amount of each approved claim.

(G) The total amount of approved claims.

(H) An analysis and descriptions of offsets made to approved claims.

(3) **APPROPRIATE COMMITTEES OF CONGRESS DEFINED.**—In this section, the term “appropriate committees of Congress” means the Committee on the Judiciary, the Committee on Armed Services, the Committee on Veterans Affairs, and the Committee on Health, Education, Labor, and Pensions of the Senate.

#### **SEC. 805. CAMP LEJEUNE FUND.**

(a) **ESTABLISHMENT.**—There is in the Treasury of the United States an account to be known as the “Camp Lejeune Fund” (in this section referred to as the “Fund”).

(b) **DEPOSITS.**—There is appropriated to the Fund, out of any money in the Treasury available for appropriation, such sums as may be necessary to pay claims that are determined by the Attorney General under subsection (b)(2)(C)(i) of section 804 to meet the requirements of such section.

(c) **USE OF FUNDS.**—Amounts in the Fund may be used to provide payment of compensation under section 804.

#### **AUTHORITY FOR COMMITTEES TO MEET**

Ms. SINEMA. Mr. President, I have one request for committees to meet during today's session of the Senate. They have the approval of the Majority and Minority Leaders.

Pursuant to rule XXVI, paragraph 5(a), of the Standing Rules of the Senate, the following committees are authorized to meet during today's session of the Senate:

##### **SUBCOMMITTEE ON STRATEGIC FORCES**

The Subcommittee on Strategic Forces of the Committee on Armed Services is authorized to meet during the session of the Senate on Monday, June 13, 2022, at 5:30 p.m., in closed session.

#### **APPOINTMENT**

The PRESIDING OFFICER. The Chair, on behalf of the Republican Leader, pursuant to the provisions of Public Law 117–81, appoints the following individual to serve as a member of the Commission on the National Defense Strategy: The Honorable Eric S. Edelman of Virginia.

#### **ORDERS FOR TUESDAY, JUNE 14, 2022**

Ms. SINEMA. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 11 a.m. on Tuesday, June 14, and that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and morning business be closed; that upon the conclusion of morning business, the Senate resume consideration of Calendar No. 388, H.R. 3967; further, that all time during adjournment, recess, morning business, and leader remarks count postcloture; finally, that the Senate recess from 12:30 p.m. until 2:15 p.m. to allow for the weekly caucus meetings.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### **ORDER FOR ADJOURNMENT**

Ms. SINEMA. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order, following the remarks of Senator PORTMAN.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Ohio.

Mr. PORTMAN. Mr. President, are we in legislative session?

The PRESIDING OFFICER. The Senate is considering the PACT Act.

#### **UKRAINE**

Mr. PORTMAN. Mr. President, for the 15th straight week, while the U.S. Senate has been in session, I come to the floor to talk about what is going on in Ukraine. This is the war that Russia continues to wage against the people of Ukraine. I am going to talk about what has happened in the last week—some of it is very concerning—but also about what we can do right now to help more, to help our ally Ukraine, to help President Zelenskyy and his duly elected government, and to help the people of Ukraine.

Last week, I talked about a grim milestone, 100 days of this war. It is becoming a war of attrition. The Russians expected a quick victory, you remember. That didn't happen. Now they are grinding it out in one area called the Donbas region. And unfortunately, they are making some incremental progress there. In a minute, I will have a map here to show you where the

Donbas region is. But that is where the focus is right now. That is where the Russians are grinding it out.

The fate of Ukraine, its future, may be decided here in the next few months or maybe even weeks, given what is happening in the Donbas. The Russians have regrouped, and they are using their superior weapons, particularly long-range artillery. The Ukrainians, although they are fighting valiantly, just don't have that longer range artillery to be able to counteract what Russia is doing. So the Russians are sitting back with this long-range, more accurate artillery. They are hitting Ukrainian positions, taking out Ukrainian cities, flattening them. And then the Ukrainians can't reach them because they don't have artillery that is long range.

There has been some Ukrainian progress in the past week. If you look at this map, you can see that in the northeast, around Kharkiv—up here, you see this light blue—Ukrainians have made some progress. In fact, in one case, they actually pushed the Russians back to the Russian border.

They also made some progress here in the south. And you see the city of Kherson, that was one of the first big cities that the Russians took during this most recent attack. The Ukrainians are now moving toward that area. That is positive news.

But, frankly, one reason they are making the progress is the Russians are all focused right here. This is the Donbas region we talked about earlier, and this is where the Russians are making incremental progress and killing, frankly, a lot of Ukrainian civilians but also Ukrainian soldiers.

Russia is grinding it out, as I said earlier, meaning that they are using their superior artillery fire. They have more troops. They have more weapons. But the Ukrainian defenders are fighting hard. They are making the Russians pay for every single inch of territory that is being taken. This is particularly true in Severodonetsk, which is right in here.

In Severodonetsk, there is an ongoing battle tonight as we talk. The Russians are engaged in urban combat there, and the Ukrainians have fiercely defended their homeland. But I will say, the Russians are still advancing bit by bit, in some cases kilometer by kilometer, every day, because they have the firepower, especially the longer-range, accurate, and deadly artillery.

Reports yesterday indicate that unless Ukrainians can get access to that long-range artillery themselves, Severodonetsk and the entire Luhansk region could fall to Russia soon. Possibly within weeks. This should alarm all of us. It should alarm the administration; it should alarm the Congress. Because every time Russia gains more territory, they reduce it to mostly rubble, destroy it, and then they dig in, making it twice as hard to get that territory back.

Because the Russians have more artillery than the Ukrainians and their weapons have longer ranges, the Russian forces concentrate their massive firepower on Ukrainian positions from a distance, as I said, which the Ukrainian forces cannot reach. And then they move in.

They destroy the territory. They occupy it. This disparity in the quality and quantity of artillery has put Ukraine at a distinct disadvantage. The good news is that we can fix this problem. We can level this playing field and address this disparity. America and her allies have the ability to do it, and it is urgent that we do it now.

In our inventory, we have hundreds of what are called High Mobility Artillery Rocket Systems or HIMARS. It is an advanced system that is actually superior to the Russian artillery in almost every way, more mobility, faster reload time, more accuracy, and—more importantly—more range.

Getting these systems, these HIMARS systems to Ukraine could be a game changer. It could save so many lives. With these systems in the arsenal, the Ukrainians could turn the tables on the Russians here in the Donbas region.

They could grind the Russian advance to a halt and maybe even push the Russian forces back, as they are doing in Kharkiv up here or down here in the south.

Unfortunately, the Biden administration has been unwilling to act quickly on these HIMARS. Two weeks ago, after weeks of Ukrainian requests, echoed by some of us here in the U.S. Congress, President Biden announced that he would provide Ukraine with some of these systems. I was really pleased we were finally taking that step.

However, according to the Department of Defense, I now learned that the administration is only sending four of these systems—four. The administration has said that it is only providing Ukraine with mid-range missiles as well, meaning Ukrainian troops will need to fire from closer to Russian positions and put themselves at greater risk.

That announcement of our decision to send four systems will be 2 weeks old on Wednesday. We were told these systems require almost 3 weeks in training to be able to operate. That means, at best, Ukraine will have four U.S. artillery systems operational sometime late this week or maybe next week.

Ukraine has been fighting for its life for weeks along a massive front line, this front line all along here. And the Biden administration is only now sending this military support; and, frankly, it is just not enough. Combine this with the public reporting that the M777 howitzer promised to Ukraine months ago back in mid-April are arriving very slowly, and you have a picture that shows that we are not responding with urgency to the situation in Ukraine.

You don't have to take it from me. Listen to the military advisor and President Zelenskyy's chief of staff Oleksiy Arestovych: "If we get 60 of these [rocket artillery] systems," that is the HIMARS I am talking about, "then the Russians will lose all ability to advance anywhere, they will be stopped [dead] in their tracks. If we get 40, they will advance, albeit very slowly with heavy casualties; with 20, they will continue to advance with higher casualties than now."

So he is talking about the need for 60 or at least 40; 20 won't be enough. Unfortunately, we are talking about four. To their credit, the British announced last Tuesday that they will send something similar to these multiple launch rocket systems to Ukraine. It is a larger version, actually, of the HIMARS rocket artillery system that they are sending. I appreciate that. However, the BBC reports that they are now only sending three, at least initially.

The world looks to America for leadership, and if America leads with only four rocket artillery systems, the rest of the world is going to follow with similarly modest support. I hope this will change. I hope we will see that these numbers improve. I would like to be proven wrong that those artillery systems are already on their way. I hope they are, but the best information we have is that is not true.

It has been months now, and the Ukrainians cannot afford to have imprecise and low-level assistance from the world's most powerful military. This Congress sent \$40 billion in aid to the Ukrainians, \$21 billion of that was military assistance. I think we should expect and demand that the administration utilize that funding as much as possible and provide Ukraine with the precise and powerful military equipment it actually needs to be able to fight this war, to stop the bloodshed, by pushing the Russians back, \$21 billion is a lot of money, let's be sure it is spent properly.

Another Ukrainian official, Vadym Skibitsky, Ukraine's Deputy head of Military Intelligence, told a British outlet: "Everything now depends on what [the West] gives us. Ukraine has one artillery piece to 10 to 15 Russian artillery pieces."

Ukrainians need our help. And Congress has done its job in an overwhelming, bipartisan fashion. We should not be tentative now—not now. Russia's brutal unrelenting rocket and missile attacks throughout Ukraine, including attacks on schools and churches, hospitals and apartment buildings, have killed tens of thousands of Ukrainian civilians and soldiers, while entire cities have been laid to rubble by the Russian barrages. While the media coverage has waned significantly here in the United States, the people of Ukraine are still feeling the effect and the terrible impacts of this bloody and illegal invasion of their homeland in so many ways. One is the blockade of Ukraine's Black Sea ports.

Since the war began, Russia has put this blockade in place preventing the export of millions of tons of grain and other agricultural products desperately needed, by the way, in Africa, in the Middle East, and other developing countries.

Just this past Saturday, Deputy Agriculture Minister Taras Vysotsky reported that 300,000 tons of grain were destroyed when Russia shelled a warehouse near one of these ports.

So Russia is actually shelling grain bins to destroy the grain. Let me be clear: Food should never be a target and should never be used as leverage in negotiations. Malign actors around the world have used food as a weapon—the Houthis in Yemen, Assad in Syria, and now Russia in Ukraine.

Russia has the rest of the world hostage with its barbaric food blockade. President Putin recently suggested that he would lift his stranglehold on Ukraine's Black Sea ports, including Odesa, but he said he would only do so if all the sanctions were lifted on Russia. In other words, Russia would like to be rewarded for releasing the hostage it has taken.

Russia must release its blockade immediately, without any conditions. Millions of lives depend on it. I would expect the administration and allies—including Turkey—to come up with contingency plans now, if they don't have them already. This impacts nations in Africa, the Middle East, East Asia, and particularly, again, these poor countries in Africa depend on the Ukrainian grains, otherwise there will be massive food shortages.

In Turkey, President Erdogan continues to negotiate an exit corridor for Ukrainian grain through the Black Sea. I thank him for doing that. He should continue to do so. And even in China—no friend of the United States and a very good friend of Russia right now—President Xi Jinping has warned of a bad winter wheat harvest. I hope he can persuade Vladimir Putin that needlessly causing a global hunger catastrophe will not do him any favors.

The dire warnings of global food insecurity and price hikes if this blockade continues should concern everyone in this Congress, everyone in America, and everyone in this administration, certainly.

The world is looking to our leadership to help solve this problem. What we need is a creation of a humanitarian corridor that can go out, at least through the port at Odesa through which Ukrainian agricultural products can reach the world market.

Until then, other avenues have to be explored. When I was in Romania 2 weeks ago, the prime minister there told me that they intend to boost their road and rail and canal infrastructure to the port in Romania to help export as much Ukrainian grain as possible. This would help, and I appreciate—really appreciate—the Romanian effort, but it can't match the capacity of Odesa or these other ports in Ukraine.

At a security conference in Singapore on Sunday, Ukraine's deputy foreign minister announced that Ukraine will, indeed, try to export its grains through Romania as well as through Poland, as well as any place they can get it out.

They are looking for a third route as an example through the Baltic States, Lithuania, Latvia, and Estonia. That is a desperate attempt by Ukraine to try to get this grain out, but, again, it can never match the huge volumes that can go by ship from its own ports.

As the head of the Ukraine Grain Association said last week:

I can tell you we won't find a solution [for] exports [without Black Sea port access].

Unfortunately, I think he is right. It is clear that Russia is trying to starve the world into pressuring Ukraine to surrender. Meanwhile, Russia's crimes within Ukraine continue. A few days ago, Ukrainian prosecutors announced that eight more war crimes have been filed against Russian soldiers. These cases are part of a more than 16,000 investigation that Ukraine has opened into possible war crimes committed during the war, according to Ukraine's prosecutor general—16,000 investigations right now into war crimes.

In the past war crimes trials, two captured Russian soldiers were each sentenced to 11½ years in prison in late May after pleading guilty to shelling a town in Eastern Ukraine. And a Russian soldier was handed a life sentence for shooting a 62-year-old Ukrainian civilian in the head.

These heinous acts of violence are going to continue unless Ukraine has the ability to push back. We do need more of these sentences of war criminals to try to act as a deterrent to stop the further Russian barbarity in Ukraine. Maybe some officers, maybe some officials in the Kremlin looking at these war crime convictions will say, you know what, maybe we shouldn't be attacking our peaceful neighbors and killing them and raping them and terrorizing this country.

There is another important issue I want to mention, one that is worth the world's attention: Ukrainian orphans. Unfortunately, there are hundreds of Ukrainian orphans who are stuck in Ukraine or elsewhere in Europe. A lot of these orphans have ties to America and unique ties to about 200 American families who are ready, willing, and able to host these children. These families have been in the process of adopting these children for a long time, from before the invasion. Many of these children have actually previously visited the United States to meet with their soon-to-be adopted families.

Unfortunately, many of these children returned right before the invasion and are unaccounted for now. Many have lost contact with their soon-to-be families. I have constituents in Ohio, and I know hundreds of other families across the country ready to welcome these children into their homes.

In March, along with 26 colleagues, I wrote to the State Department, I have

yet to hear back from that letter, but we asked for two things: one, to help identify these children, this needs to be done in collaboration with the Ukrainian government, of course, and U.S.-based organizations; and, two, my letter urged the administration to issue travel visas to allow adoption-eligible kids to come live with their American host families now.

The State Department should use its powers under the law to immediately process nonimmigrant visas that will allow these kids with in-process adoptions to travel to the U.S. and stay with their host families in the United States instead of requiring these children to remain in other locations for displaced persons in Europe or in Ukraine.

Many of these children may be given refuge in neighboring countries. However, I believe in the unique circumstances where children already have established relationships with these families in the United States, they should be able to come here and be with their host families who can ensure the child's safety and stability.

At the same time, we could continue to work with the Ukrainian government, which has been open to finalizing the adoptions that were in process before the war began.

I will close with this: I have now come to the floor every week since just before President Putin began this illegal and unprovoked invasion against the people of a democratic Ukraine who just wanted to live in peace with their neighbors—including Russia.

This is the fight during our generation where democracy is on the line. I am not surprised, because I have seen the spirit and bravery of the Ukrainian people firsthand in my many trips to Ukraine, including meeting with Ukrainian troops on the front line before this latest invasion. I am not surprised that they have held off Russia so far. Their strength and resiliency is a marvel.

Again, it is not what Vladimir Putin expected. It is, frankly, not what our own U.S. military expected. They have fought hard, and they continue to every day. But they need more help.

Last week, I met with a great fighter in this cause, my friend Andy Futey from Ohio, who leads the Ukrainian World Congress for the Ukraine diaspora all over the world. He has been a strong and consistent advocate for Ukraine and joined me at a rally, actually, at the White House with hundreds of Ukrainian Americans a couple months ago.

When I met with Andy last week and other members of the Ukrainian World Congress who had just returned from Ukraine, they spoke with passion about the destruction they had seen in Ukraine, about the steep price that the Ukrainian people have paid and continue to pay to be able to remain free and independent.

With them was a young woman from Ukraine who was very emotional in her

appeals, with tears, saying, America needs to do more during this hour of need. As they made the case passionately that the U.S. needs to continue sending weapons and artillery and sooner not later, they talked about the need for these long-range weapons we talked about tonight, so the Ukrainians have a fighting chance.

Every day the United States fails to sufficiently support Ukraine only serves as a detriment to the Ukrainians, who need us to lead the free world in helping them win this war. Brave Ukrainians are dying every day. We just can't afford to delay.

My colleague Senator DICK DURBIN and I cochair what is called the Senate Ukraine Caucus, which we founded back in 2015. Later this week, we will bring the caucus together to meet with the leaders in the Ukrainian parliament, the Rada, who are here visiting Washington to urge greater support in America for their country. We are eager to hear what they have to say.

Many of us here in this Chamber get it. We know that America can't afford to stay on the sidelines and be a spectator in this conflict. At this crucial time in the battle for freedom, democracy, and the ability for countries to have their territorial integrity respected, at this critical hour, America cannot afford to be tentative.

We must remember the lessons of the late 1930s: that appeasing tyrants will not satiate their desire to violently conquer and subjugate their neighbors. Some folks in this town may not understand that, but Ukrainians understand it. They know what it is like to live under the thumb of authoritarians, and they broke away from that and to-

ward democracy, first in 1991 and again in 2014.

I was in Ukraine after the Revolution of Dignity, in 2014, where Ukrainians decided for themselves that they wanted to turn away from Russian domination and turn to us and to Europe and to pursue a hopeful future of democracy and freedom. Now, President Putin is trying to extinguish that hope. We must not let him.

One question that many of us have of the administration is: What is the end goal here? Is our objective to help Ukraine grind down Russia's military so that for some number of years it is unable to undertake another violent campaign like this? Is our objective to topple President Putin's regime? Or is our objective to help the Ukrainians expel the Russian invaders from their sovereign Ukrainian territory, including Crimea and the Donbas?

The administration dodges these questions by saying: It is up to the Ukrainians to decide.

I understand that, but the Ukrainians have already decided. They want their sovereign territory back—all of it. I have discussed this at length with Ukrainians, and they have consistently said what I have heard from their parliamentary leaders in the past and will again this week: Nothing less than the full restoration of Ukrainian sovereign territory is their goal.

Saying that we support Russia walking away with any Ukrainian territory would just embolden Russia in this conflict and embolden aggressors and authoritarians in the future.

It has now been 110 days of unrelenting Russian attacks on our ally Ukraine, and it has been 110 days of pushing the administration to help

more. This happened with Russian oil, Russian gas exports. It happened with trade and banking sanctions and various kinds of military assistance. Now it is the HIMARS. They need these weapons.

America has made its stand. We are on the side of freedom over tyranny, democracy and self-determination over authoritarianism and conquest. The countries of the free world are with us, but more so when we lead. Now is not the time to be tentative or equivocal. At this critical juncture, let's work with allies to provide our democratic brothers and sisters in Ukraine what they need to protect the homeland and defend democracy.

I yield the floor.

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#### ADJOURNMENT UNTIL 11 A.M. TOMORROW

The PRESIDING OFFICER. Under the previous order, the Senate stands adjourned until 11 a.m. tomorrow.

Thereupon, the Senate, at 6:48 p.m., adjourned until Tuesday, June 14, 2022, at 11 a.m.

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#### CONFIRMATIONS

Executive nominations confirmed by the Senate June 13, 2022:

##### DEPARTMENT OF JUSTICE

JOSHUA D. HURWIT, OF IDAHO, TO BE UNITED STATES ATTORNEY FOR THE DISTRICT OF IDAHO, FOR THE TERM OF FOUR YEARS.

GERARD M. KARAM, OF PENNSYLVANIA, TO BE UNITED STATES ATTORNEY FOR THE MIDDLE DISTRICT OF PENNSYLVANIA FOR THE TERM OF FOUR YEARS.

JACQUELINE C. ROMERO, OF PENNSYLVANIA, TO BE UNITED STATES ATTORNEY FOR THE EASTERN DISTRICT OF PENNSYLVANIA FOR THE TERM OF FOUR YEARS.